

IN RE: PETITION FOR SPECIAL HEARING
NW/4 Chesaco Avenue, 684' SE
of Duvall Avenue
(1022 Chesaco Avenue)
15th Election District
7th Councilmanic District
Edwin Kreisel, et al
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-565-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a grocery, carry-out and retail liquor store in accordance with Petitioner's Exhibit 1.

The Petitioners, Edwin and Forest Kreisel, appeared, testified and were represented by S. Eric DiNenna, Esquire. Also appearing on behalf of the Petition were Frank Lee, Registered Property Line Surveyor, and numerous residents of the area including Edward Reinhardt, William Ross, and Barbara Pflugrad. There were no Protestants.

Testimony indicated that the subject property, known as 1022 Chesaco Avenue, consists of 0.67 acres zoned D.R. 5.5 and is improved with a one- and two-story semi-detached dwelling unit and two attached garages as depicted in Petitioner's Exhibit 1. Mr. Kreisel testified that Petitioners purchased the subject property in 1978 at which time the property was used as a grocery, carry-out deli, and retail liquor store. Petitioner testified that he grew up in the area and graduated from Kenwood Senior High School in 1943. He remembered that sometime in the mid-1930s, there was a store existing on the subject property. Mr. Kreisel testified that when he returned from active duty in the service in 1945, the store was still in operation and that to the best of his knowledge, the operation was continuous and uninterrupted from 1945 to the time of his purchase in

1978. Referring to Petitioner's Exhibit 1, Mr. Kreisel testified that the one-story frame dwelling is used as the grocery store, and the two-story frame dwelling is used as Petitioner's residence. Mr. Kreisel confirmed the frame garage to the rear of the property is used for storage space for the business as marked on Petitioner's Exhibit 1 and testified the cinder block garage is used for the storage of personal property, including a car.

Edward Reinhardt appeared and testified that he has lived in the area for 68 years. His recollection was that the store has operated from the site since approximately 1935. Mr. Reinhardt testified that the use of the property as a grocery store with a deli carry-out and the sale of alcoholic beverages has been continuous and uninterrupted.

William Ross testified that is 76 years of age and has lived in the area all of his life. Mr. Ross recollected that the store use has been continuous and uninterrupted, pre-dating the zoning regulations.

Barbara Pflugrad testified that she was born and raised across from the subject property. Her distinct recollection is that sometime between 1933 and 1938, the grocery and carry-out deli uses on the subject property commenced. Ms. Pflugrad testified that she currently resides behind the subject site and that the existing uses have been continuous and without interruption since the mid-1930s.

In addition to the testimony and evidence presented by Petitioners as to the continuous and uninterrupted use of the property as a grocery, carry-out deli, Petitioner presented numerous signed statements from area residents in support of the continued operation and nonconforming use of the subject property. Further, the testimony and evidence presented indicated the grocery store is a tremendous asset to the residents of the area, especially the elderly homeowners.

- 2 -

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

- 3 -

After due consideration of the testimony and evidence presented, it is clear that the use of the subject property as a grocery, carry-out and retail/liquor store has been continuous and without interruption and that a legal nonconforming use as same exists.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of September, 1990 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a grocery, carry-out and retail/liquor store, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 9/10/90
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/10/90
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/10/90
By [Signature]

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY 90-565-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____
Grocery, carry-out and retail liquor store as a non-conforming use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

Legal Owner(s):

Edwin Kreisel

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

House, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

409 Washington Ave., Suite 600

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 6 day of _____, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28 day of _____, 1990, at 2 o'clock P. M.

ESTIMATED LENGTH OF HEARING - 1/2 HR.
AVAILABLE FOR HEARING
MON. 9/11/90 - 10:00 AM - 12:00 PM
TUES. 9/12/90 - 9:00 AM - 12:00 PM
ALL OTHER DAYS - 9:00 AM - 12:00 PM
REVIEWED BY [Signature] DATE 9/15/90

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

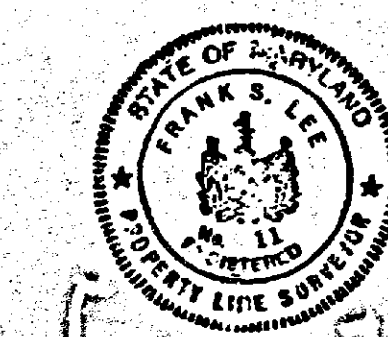
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

April 6, 1990

No. 1022 Chesaco Avenue
15th District Baltimore County, Maryland

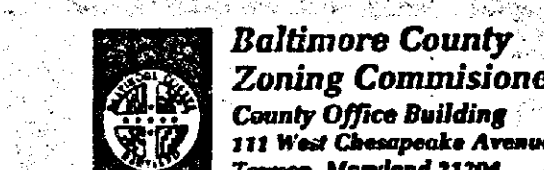
Beginning for the same on the northeast side of Chesaco Avenue at the distance of 684 feet more or less measured southeasterly along the northeast side of Chesaco Avenue from the southeast side of Duvall Avenue thence running and binding on the northeast side thereof South 24 degree 55 minutes East 88.08 feet, thence running for three lines of division as follows: North 60 degrees 06 minutes East 329.74 feet, North 24 degree 55 minutes West 88.08 feet and South 60 degrees 06 minutes West 329.74 feet to the place of beginning.

Containing 0.67 acres of land more or less.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th
Date of Posting 9/10/90
Petitioner: Edwin & Forest Kreisel
Location of property: NW/4 Chesaco Ave., 684' SE of Duvall Ave.
Location of Sign: Front Chesaco Ave. 25' from corner
Remarks: Attached to this Petition is a map showing the location of the property.
Posted by [Signature]
Number of Signs: 1
Date of return: 9/17/90



Account R-001-6150

Number

No 2495

DATE	5/14/90	H9000394
PUBLIC HEARING FEES	QTY	PRICE
040 - SPECIAL HEARING (OTHER)	1 X	\$175.00
LAST NAME OF OWNER: KREISEL	TOTAL:	\$175.00

0 8031*****175001a 3156F

Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

September 5, 1990

Dennis F. Rasmussen
County Executive

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NW/4 Chesaco Avenue, 684' SE of Duvall Avenue
(1022 Chesaco Avenue)
15th Election District - 7th Councilmanic District
Edwin Kreisel, et al - Petitioners
Case No. 90-565-SPH

Dear Mr. DiNenna:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Redcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 90-565-SPH
Map: Chesapeake Avenue, 684' SE of Duval Avenue
1022 Chesapeake Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Edwin Kreisel and Forest Kreisel
Hearing Date: Tuesday, Aug. 28, 1990 at 2:00 p.m.
Special Hearing: Grocery, carry and retail liquor store as a non-conforming use.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ7/218 July 21, 1990

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 26, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zake Olson

Publisher

PO 106192

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 90-565-SPH
Map: Chesapeake Avenue, 684' SE of Duval Avenue
1022 Chesapeake Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Edwin Kreisel and Forest Kreisel
Hearing Date: Tuesday, Aug. 28, 1990 at 2:00 p.m.
Special Hearing: Grocery, carry and retail liquor store as a non-conforming use.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ7/218 July 21, 1990

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 30, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 26, 1990.

THE JEFFERSONIAN

S. Zake Olson

Publisher

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4150
Number

receipt
No 3298

Date

8/28/90

M9100159

PUBLIC HEARING FEES QTY PRICE

080 - POSTING SIGNS / ADVERTISING 1 X \$105.46

TOTAL: \$105.46

LAST NAME OF OWNER: KREISEL

0440440162NICHRC
BA C00159PH08-28-90

\$ 05.46

Please make checks payable to: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

DATE 7/24/90



Dennis F. Rasmussen
County Executive

Edwin and Forest Kreisel
1022 Chesapeake Avenue
Baltimore, Maryland 21237

Re: Petition for Special Hearing
CASE NUMBER: 90-565-SPH
Map: Chesapeake Avenue, 684' SE of Duval Avenue
1022 Chesapeake Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Edwin Kreisel and Forest Kreisel
HEARING: TUESDAY, AUGUST 28, 1990 at 2:00 p.m.

Gentlemen:

Please be advised that \$105.46 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: S. Eric DiNenna, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

June 29, 1990

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 90-565-SPH
Map: Chesapeake Avenue, 684' SE of Duval Avenue
1022 Chesapeake Avenue
15th Election District - 7th Councilmanic
Petitioner(s): Edwin Kreisel and Forest Kreisel
HEARING: TUESDAY, AUGUST 28, 1990 at 2:00 p.m.

Special Hearing: Grocery, carry and retail liquor store as a non-conforming use.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Edwin and Forest Kreisel
S. Eric DiNenna, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

August 21, 1990



Dennis F. Rasmussen
County Executive

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: Item No. 399, Case No. 90-565-SPH
Petitioner: Edwin Kreisel, et al
Petition for Special Hearing

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Edwin Kreisel
1022 Chesapeake Avenue
Baltimore, MD 21237

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 6th day of June, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Edwin Kreisel, et al

Petitioner's Attorney: S. Eric DiNenna

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: May 23, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Edwin Kreisel, et al, Item No. 399

The Petitioners request a Special Hearing to establish the non-conforming use of a grocery, carry out and retail liquor store in a residential zone.

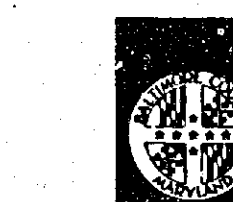
In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

FK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

June 6, 1990



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 388, 394, 396, 397, 398, 399, 400, 403, 404, 402, 406 and 407.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

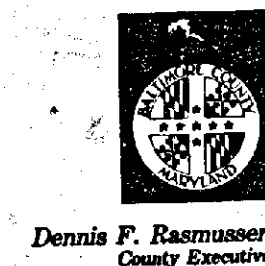
MSF/lvw

RECEIVED
JUN 13 1990
ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(800) 887-4500

JUNE 4, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



RE: Property Owner: EDWIN KREISEL AND FOREST KREISEL
Location: #1022 CHESACO AVENUE
Item No.: 399 Zoning Agenda: JUNE 5, 1990

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 25

REVIEWER: *John Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 29, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 5, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 387, 388, 394, 396, 397, 898, 1389, 400, 402, 403, 404, 406 and 407.

For Item 401, the previous County Review Group comments still apply.

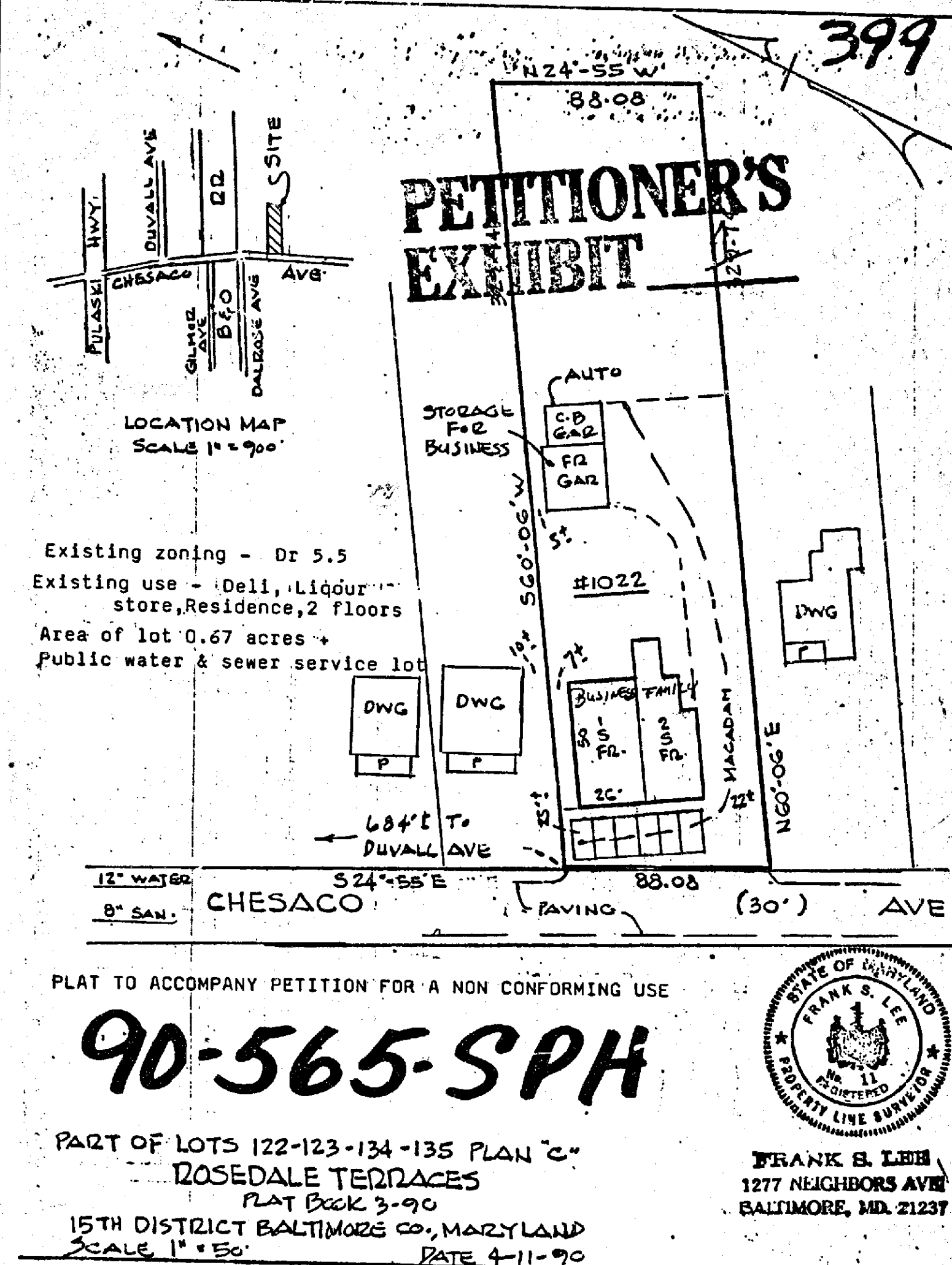
Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:s

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
FRANK LEE	1277 NEIGHBORS AVE 21237
Edward Reinhardt	1004 1/2 Sumter Ave 21237
William Ross	823 Rosedale ave.
Margaret Marguerite	1014 Sumter Ave
Barbara Pflueger	1033 Sumter Ave 21237
Mary Guggen	1321 1/2 Spring Ave 21237
Pat Deffen	1028 Sumter Ave 21237
James Pflueger	1229 Ridge Ave 21237
Justin J. Theroad	1022 CHESACO AVE 21237
Edwin B. Kreisel	1022 Chesaco Ave 21237
Donald Wagoner	1038 Sumter Ave 21237
James J. Guggen	825 Deane St. Towson 21204
Frederick W. Miller	3501 Oak Pl. Baltimore 21212
John Guggen	7926 Oakdale Ave Balt. Md. 21237



PETITIONER'S
EXHIBIT 2

I, the undersigned, and residents of the Chesaco-Rosedale Area, to the best of our knowledge, verify that the use of the subject property at 1022 Chesaco Avenue has been used as a commercial use engaged in the retail sale of goods prior to 1945 and to the present date without the change of use nor the cessation of use and wish that the present use continue.

NAME	ADDRESS
Raymond Wilmering	806 Rosedale Ave Baltimore, MD 21237
Joe Tammariwo	
STEVEN HILL	419 POTOMAC AVE 21237
Tonya Lelau	6 King Charles Circle 21237
Robert Zeman	800 1/2 Duval Avenue 21237
Kelly Mayle	786 Bridge Ave
Art Wilson	7931 Elmhurst Ave 21237
Paul S. Shepherd	207 POTOMAC AVE 21237
Chris Sam	733 Elmhurst Ave 21237
Nelen Smart	500 Potomac Ave 21237

AUG. 18, 1998

BALTIMORE CO. ZONING COMM.
TOWSON MD. 21204

TO WHOM IT MAY CONCERN:

IN REFERENCE TO THE ZONING
VARIANCE FOR KAYS CARRY OUT,
I HAVE OWNED A BUSINESS IN
CHESACO FOR 10 YRS. AND HAVE
BEEN USING THE STORE FOR THAT TIME.
IT IS CONVENIENT, AND OF GREAT
ADVANTAGE TO ME, AND TO ALL OF THE
PEOPLE OF THE CHESACO - ROSEDALE
AREA.
THE STORE IS IMPORTANT TO MANY OF
THE OLDER RESIDENTS, SINCE THEY DO
NOT HAVE TO GO OUT ON FOLKSI HSY
AT NIGHT, AND THE CLOSEST RETAIL OUTLET
FOR FOOD IS ABOUT 3 MILES AWAY.
I ASK THAT YOU PLEASE CONSIDER THESE
THINGS, IN MAKING YOUR DECISION.

HOME
444-4429

Yours Truly,

Bill Brown Sr.
PETITIONER'S
EXHIBIT 3A

Call Any Time
24 HRS. EMERGENCY
STORM WORK
Bills TREE TRIMMING
TREE SPRAYING & CORD WOOD
Landscape Tree & Stump Removal
BALTIMORE, MD. 21214

Greater Chesaco Community Ass'n. Inc.
P.O. BOX 70065
Baltimore, Maryland 21237

August 20, 1990

Baltimore County Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Case Number: 90-565-SPH
Edwin & Forest Kreisel

To Whom It May Concern:

Kays Carry Out (Mr. Ed Kreisel) has been a member in good standing for the past several years. During that time there have been no formal complaints brought to the community association.

The Greater Chesaco community is a very old established community and many of its residents are elderly. Kays Carry Out is very convenient for them and they do not have to travel very far from their homes. Also, the Kreisel's and their employees are always helpful to the older residents by offering to carry anything heavy to their cars.

Many members of the Board of Directors have lived in the Chesaco area for more than 40 years and we always remember the location in question as being some type of grocery store and hope that they will be able to continue to operate as they have for the past 12 years.

If you wish to contact me for any reason my home phone number is 391-4252.

Sincerely,

G.D. Nickerson
Geraldine Nickerson
President

PETITIONER'S
EXHIBIT 3B



8104 EDGEWATER AVENUE • BALTIMORE, MARYLAND 21237-3299 • TELEPHONE 301-686-1111
FAX NO. 301-686-8766

August 27, 1990

BALTIMORE COUNTY ZONING COMMISSION

RE: Kay's Carry-out
1022 Chesaco Avenue

Kay provides food for many of our employees and also a check cashing service.

MACHINECRAFT, INC.
Charles E. Schaffer
Charles E. Schaffer
General Manager

CES:tsi

PETITIONER'S
EXHIBIT 3C

Precision Machinists • Numerical Controlled & Automatic Machining • Engineering & Designing Service

CROWN SHADE CO.

775 CHESACO AVENUE, BALTIMORE, MARYLAND 21237
TELEPHONE: 301-682-4450
FAX # 301-686-6015
WATTS 1-800-445-5557

AUGUST 21, 1990

BALTIMORE COUNTY ZONING COMMISSION

GENTLEMEN:

SINCE MOVING INTO THIS AREA APPROXIMATELY ONE YEAR AGO, OUR EMPLOYEES PATRONIZE KAY'S CARRYOUT LOCATED AT 1022 CHESACO AVENUE. WE FEEL THIS BUSINESS IS A GREAT ASSET TO THIS COMMUNITY AND TRUST YOU WILL CONTINUE TO PROVIDE THEM WITH THE PROPER ZONING SO THAT THEY MAY CONDUCT THEIR BUSINESS AS IN THE PAST.

YOURS TRULY,

Mrs. Marilyn Grody
CROWN SHADE CO.
MRS. MARILYN GRODY-SEC. TREAS.

**PETITIONER'S
EXHIBIT 3D**

MANUFACTURER & DISTRIBUTOR OF WINDOW SHADES & ACCESSORIES
WOVEN WOODS — VERTICALS — VENETIAN BLINDS — BALI 1" — MICRO — PLEATED — DRAPERY HARDWARE — SUN SHADES — SHUTTERS
PORCH SHADES — STOCK SHADES — CUSTOM SHADES — SHADE CLOTH — ROLLERS — TRIMMINGS — WOOD BLINDS



**Masonry Reinforcing Corporation
OF AMERICA**

AUGUST 22, 1990

TO WHOM IT MAY CONCERN:

I AM WRITING YOU TODAY CONCERNING KAY'S CARRYOUT, LOCATED AT 1022 CHESACO AVENUE, BALTIMORE, MD 21237. IT IS MY UNDERSTANDING THAT THEY ARE CONCERNED WITH THEIR ZONING PERMIT FROM THE BALTIMORE COUNTY ZONING COMMISSION.

THIS LETTER IS TO ADVISE YOU THAT KAY'S CARRYOUT IS UTILIZED BY ALL OF OUR EMPLOYEES. SEVERAL OF OUR EMPLOYEES LIVE IN THIS AREA AND FREQUENT KAY'S CARRYOUT DAILY. OUR OTHER EMPLOYEES FREQUENT KAY'S CARRYOUT AS A CONVENIENT PLACE TO PURCHASE THEIR LUNCH.

PLEASE FEEL FREE TO CONTACT ME IF YOU HAVE ANY QUESTIONS.

VERY TRULY YOURS,

Frank J. Zaczek
FRANK J. ZACZEK
OPERATIONS MANAGER



Frank Zaczek
Operations Manager
**Masonry Reinforcing Corporation
Of America**

(301) 574-3390
P.O. Box 9696/1030 Batevia Farm Rd.
Baltimore, Maryland 21237
Toll Free (800) 345-8298
Fax (301) 574-5417

MASONRY WALL REINFORCEMENTS & TIES

P.O. Box 9696 • 1030 Batevia Farm Rd. • Baltimore, MD 21237 • (301) 574-3390 • Toll Free (800) 345-8298 • Fax (301) 574-5417

**PETITIONER'S
EXHIBIT 3E**

Twin Distributors
1020 Batevia Farm Rd.
P.O. Box 18432
Baltimore, Maryland 21237

August 16, 1990

Baltimore County Zoning Commission
111 West Chesapeake Avenue - Room 113
Towson, Maryland 21204

RE: Kay's Carry Out
1022 Chesaco Avenue
Baltimore, Maryland 21237

We are a local business in the Rosedale area and our company consists of ten (10) employees. Kay's is an asset to our community--convenient to our employees for lunch and other necessities.

Very truly yours,

TWIN DISTRIBUTORS, INC.

Allen T. Williams
Allen T. Williams

ATW:dja

**PETITIONER'S
EXHIBIT 3F**

To Whom This May Concern,

Aug. 28, 1990

Re: Kay's Carryout
Chesaco Ave
21237

**PETITIONER'S
EXHIBIT 3G**

I reside at 926 Chesaco Ave, & have two handicapped persons living there with me. We would have a lot of trouble getting milk, bread; other necessities if Kay's would be closed down. There are a lot of times when I am unable to go to a grocery store.

Please don't take this store away from our neighborhood. They even deliver items when needed.

Thank you.

Sincerely,

Carol L. McMillion
Carol L. McMillion
574-4053